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TAGS: [PHUM](#) [PREL](#) [PGOV](#) [SMIG](#) [PREF](#) [KISL](#) [MY](#)
SUBJECT: A/S SAUERBREY URGES MALAYSIA TO EDUCATE REFUGEE
CHILDREN AND SUPPORT UNHCR

REF: 05 KUALA LUMPUR 3691

Classified By: CDA David B. Shear for reasons 1.4 b,d.

¶1. (C) Summary: Assistant Secretary for Population, Refugees and Migration Ellen Sauerbrey used her August 24-26 mission to Malaysia to stress our support for the UNHCR's activities, commend the GOM for providing temporary residency to Acehnese and Rohingya refugees from Burma, and urge the GOM to provide greater education opportunities for the children of refugees. She also expressed optimism that the USG will soon reach consensus to solve the "material support" issue that has halted our intended resettlement of thousands of Burmese Chin refugees into the United States. A/S Sauerbrey's expression of strong USG support for the UNHCR was timely, as the UNHCR has recently come under criticism from police and immigration officials. At her other stops in Kuala Lumpur, she discussed refugee-related issues with the Indonesian ambassador to Malaysia, and visited a primary school and convalescent home for refugees that are partially USG-funded. End Summary.

A Home for the Rohingya?

¶2. (C) During her August 24 discussions with GOM officials from the Internal Security and Foreign Affairs ministries, A/S Sauerbrey praised the GOM's recent efforts to distribute temporary residency documentation to the approximately 12,000 Burmese Rohingya refugees who currently reside in Malaysia. Mohd Hatta bin Abdul Aziz, Deputy SecGen of the Ministry of Internal Security, informed A/S Sauerbrey that the Home Affairs Ministry began registering Rohingya refugees on August 1 at the Kuala Lumpur International Airport (KLIA). The refugees are to receive Malaysia's coveted "IMM 13" documentation that allows its holders access to work, health care and education. Malaysia has not signed or ratified the 1957 UN convention on refugees, and largely treats refugees as illegal migrants. Hatta explained to A/S Sauerbrey that GOM immigration enforcement officials have allowed individuals from various refugee groups to remain in Malaysia, subject only to their possession of UNHCR documentation as "persons of concern."

¶3. (C) UNHCR Representative Volker Turk informed A/S Sauerbrey that commencement of the Rohingyas' IMM 13 registration process was marred by widespread reports of corruption among middlemen who allegedly extorted money from Rohingya refugees, in return for access to registration officials. The GOM suspended its registration process two weeks after it began, and the Home Affairs ministry has confidentially allowed the UNHCR to help restructure and

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subsequently monitor the IMM 13 registration effort. Turk told A/S Sauerbrey that the IMM 13 registration process will likely resume by late September.

14. (C) The GOM's move to register Rohingya refugees follows a similar effort to provide IMM 13 documentation to Acehese refugees; they constitute Malaysia's largest refugee group. Turk informed A/S Sauerbrey that during 2005 and thus far in 2006, over 20,000 Acehese refugees have been granted IMM 13s. He told us that the GOM may intend to use the IMM 13 documents as a "potential path toward permanent residency" for Acehese and Rohingya refugees, as both groups are predominantly Muslim. In addition, he said, "They may help ease the shortage of unskilled workers here." Indonesia's Ambassador to Malaysia, Rusdihardjo, told A/S Sauerbrey that most of the Acehese refugees in Malaysia "want to stay here permanently, because there are more jobs and economic opportunities here." He also noted that the culture of Malaysia was similar to that of Aceh province, thereby easing their integration into Malaysian society.

15. (C) Turk told A/Sauerbrey that Malaysia's other major refugee group, the approximately 13,000 - 15,000 Burmese Chins (8,000 of whom are registered with the UNHCR as refugees), will likely never receive IMM 13s. According to Turk, they are predominantly Christian and have been tolerated thus far by the GOM "largely because Western nations have agreed to resettle them."

16. (C) A/S Sauerbrey expressed her concern to Hatta regarding the GOM demand for reimbursement from IMM 13 holders for all education expenses of their children. This has precluded virtually all refugee children from attending school here, as their parents are unable to afford the GOM-required payments.

In response to A/S Sauerbrey's questions regarding the lack of education opportunities given to refugee children by the

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GOM, Mohd Hatta stated, "Their (the refugees) status here is temporary. Our schools are already overburdened and if we put them into our local schools, we'll make things worse." He said the GOM currently provided only "religion classes" gratis to Muslim refugees' children. A/S Sauerbrey expressed her hope that the GOM would do everything in its power to ensure adequate education opportunities for all refugee children living in Malaysia, even if they may only reside here temporarily.

Material Support

17. (C) In response to questions posed to A/S Sauerbrey about possible resettlement of Burmese Chin refugees from Malaysia to the United States, she explained that the USG first required a waiver of the "material support" provisions established under U.S. law. These provisions were designed to prevent immigration into the U.S. by persons deemed to have provided "material support" to terrorist organizations. A/S Sauerbrey commented that the USG is committed to resolving the material support issue with regard to the Chins, some of whom provided varying degrees of support to rebel groups within Burma before coming to Malaysia. She told GOM officials, the United States hopes to take several thousand Chin refugees per year from Malaysia, and expressed optimism the Chin's material support problem could be resolved in the next few months.

18. (C) Both Hatta and Ahmad Izlan Idris, Undersecretary of Multilateral Affairs in the MFA, agreed with A/S Sauerbrey's statement that "Burma must be pressured to improve the living conditions of its people." Hatta said, "I've been there and seen horrible conditions." Idris commented, "We need to look at the core factors driving foreigners from their homes to come to Malaysia."

¶9. (C) The UNHCR has recently come under pressure by the GOM. Turk told A/S Sauerbrey that he was "summoned" on August 2 to the MFA at the behest of Deputy Prime Minister Najib. He was told that senior police and immigration officials here view the UNHCR as a "major irritant." They question the UNHCR's continued protection of individuals deemed to be illegal migrants under Malaysian law. Turk told A/S Sauerbrey that the GOM fears the UNHCR is "creating a pull factor" by offering protection to such individuals. Therefore, in addition to the other topics she raised in her meetings with the internal security and foreign ministries, A/S Sauerbrey clearly and explicitly expressed our strong support for the activities of the UNHCR - both in Malaysia and worldwide. She explained that the USG funds 25% of the UNHCR's annual operating budget, and that we support the UNHCR's unique capabilities and crucial roles that include: protection of refugees temporarily residing in many countries; facilitating permanent resettlement of refugees into welcoming third countries; and aiding governments' understanding of the underlying causes that drive flows of distressed populations across borders.

¶10. (C) COMMENT: A/S Sauerbrey's visit to Malaysia enabled us to clearly explain the status of the material support issue that has impeded our resettlement of Burmese Chin refugees, as well as convey our strong desire for the GOM to both support the UNHCR's activities in Malaysia and provide public education free of charge for refugee children. Now that the GOM has offered the first step toward integration of the Muslim groups that comprise the bulk of its refugees, Malaysia has apparently become less willing to accommodate other, non-Muslim groups such as the Chins. It is therefore probably no coincidence that the UNHCR Representative was summoned to the MFA the day after the GOM began registering its last large group of Muslim refugees (i.e. the Rohingya). While the relationship between the GOM and UNHCR has become chilled in recent weeks, we believe the GOM is unlikely to significantly change its policies regarding the UNHCR in the near term. The GOM would face unwanted international opprobrium, for example, if it ceased to accept UNHCR documentation for Christian Chin refugees, while simultaneously granting temporary residence permits to Muslim Acehnese and Rohingya refugees. In addition, cooperation with the UNHCR here allows the GOM to occupy a comfortable middle ground between ratifying the UN convention on refugees and simply punishing and deporting all refugees regardless of UNHCR status. The UNHCR has also proven itself useful to the GOM on issues such as the 131 Thai refugees who crossed into Malaysia during August 2005 (reftel), as well as its latest role in restructuring and monitoring the IMM 13 registration process for the Rohingya.

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¶11. (U) A/S Sauerbrey has cleared this cable.
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